

FILED

MAY 14 2013

Debbie McMillan Barre
Circuit Court

IN THE CIRCUIT COURT OF WILLIAMSON COUNTY TENNESSEE

GLEND A ATKINS, CHRYSTAL AKRIDGE,)
DARPH ELIA AKRIDGE, DORIS GOODNER,)
AND CHICA ALEXANDER,)

PLAINTIFFS,)

V.)

L.Q. MANAGEMENT L.L.C.)
D/B/A LA QUINTA INN AND SUITES,)

DEFENDANT.)

No. 2013 - 239

COMPLAINT

Comes the Plaintiffs and would sue the Defendant for violation of the Tennessee Human Rights Act as follows:

PARTIES AND JURISDICTION

1. Glenda Atkins is a citizen and resident of Nashville Tennessee who at all times relevant to this Complaint was employed by the Defendant at the La Quinta Inn and Suites located at 4207 Franklin Commons Court, Franklin, TN 37067.

2. Chrystal Akridge is a citizen and resident of Nashville Tennessee who at all times relevant to this Complaint was employed by the Defendant at the La Quinta Inn and Suites located at 4207 Franklin Commons Court, Franklin, TN 37067.

3. Darphilia Akridge is a citizen and resident of Nashville Tennessee who at all times relevant to this Complaint was employed by the Defendant at the La Quinta Inn and Suites located at 4207 Franklin Commons Court, Franklin, TN 37067.

4. Doris Goodner is a citizen and resident of Nashville Tennessee who at all times relevant to this Complaint was employed by the Defendant at the La Quinta Inn and Suites located at 4207 Franklin Commons Court, Franklin, TN 37067.

5. Chica Alexander is a citizen and resident of Nashville Tennessee who at all times relevant to this Complaint was employed by the defendant at the La Quinta Inn and Suites located at 4207 Franklin Commons Court, Franklin, TN 37067.

6. Defendant L.Q. Management L.L.C. is a Delaware limited liability company, registered to do business in the state of Tennessee with its registered agent for service of process being Corporation Service Company at 2908 Poston Avenue, Nashville Tennessee 37203.

7. Defendant L.Q. Management L.L.C. owns and manages La Quinta Inns and Suites including the one located at 4207 Franklin Commons Court, Franklin, TN 37067.

8. At all times relevant to this litigation the Defendant was and is an employer as defined by the Tennessee Human Rights Act.

9. The conduct complained of herein occurred at the La Quinta Inn and Suites located at 4207 Franklin Commons Court, Franklin, TN 37067. This hotel is located in Williamson County Tennessee.

10. The jurisdiction and venue for this cause of action under the Tennessee Human Rights Act that occurred in Williamson County Tennessee is properly before the Circuit Court for Williamson County Tennessee.

FACTS

11. All of the Plaintiffs are African-American.

12. All of the Plaintiffs, while working for the Defendant were managed by a white general manager named Jeff Campbell.

13. Campbell was the highest-ranking employee of the Defendant, at this La Quinta Inn and Suites.

14. Campbell, on a persistent and regular basis, used racially derogatory comments and inappropriate, stereotypical terms about African-Americans toward and/or in the presence of the Plaintiffs. Examples of some of these comments, although not an exhaustive list, include the following:

- a. Told an African-American employee that she must have been sitting by a white person during a test to cheat off of in order to pass.
- b. Told African-American employees that blacks don't have to work because they get food stamps, welfare and other benefits.
- c. Told African-American employees that Obama should have stayed in Africa and that he does not know whether he is white or black.
- d. Commented that the African-American employees just move and/or live in different projects.
- e. Questioned an African-American employee about how she could have a \$100 bill since they all get welfare checks.
- f. Told African-American employees that they had to drink out of the water fountain because it was "like Nashville water" and that they could not drink the bottled water while white employees could.
- g. Made derogatory comments about the hair of African-American employees.
- h. Asked African-American employees how they could afford a certain type of car.
- i. Told African-American employees that he wished he had a bus load of Mexican workers because they will outwork the blacks.
- j. Told the African-American employees that they had to enter and exit the back door so he could watch to see if they had taken anything, while white employees could come and go from any door.
- k. Referred to black people eating chitlins.
- l. Commented that the business had too many blacks and we needed some light in here.
- m. Told one or more employees he would slap their black asses.
- n. If black employees missed work around the first of the month he would say they missed because of "Mother's Day", referring to welfare checks for their children.

o. Commented that he needed to put “the black ass” on the floor, referring to the head housekeeper.

15. Campbell also, on a persistent and regular basis, showed favoritism in the work load and job assignments to white employees to the detriment of African-American employees. Examples of this behavior, although not an exhaustive list, include the following:

a. Required African-American housekeepers to clean more rooms and/or more difficult rooms where people were leaving the hotel, while assigning less rooms and easier rooms to white employees.

b. Told African-American employees that they could not work the breakfast room and only allowing white employees to work the breakfast area serving customers.

c. Gave white employees a more favorable work schedule as compared to African-Americans.

d. Allowed white employees to stay on the clock and be paid, while requiring African-American employees to clock out under comparable circumstances.

e. Required African-American employees to go back and redo rooms not cleaned to his satisfaction while treating white employees differently, and even having the African-American employees redo the rooms when white employees failed to satisfactorily clean.

16. After Plaintiffs complained about Campbell’s behavior to the EEOC in November 2012, instead of correcting the problems, Campbell told them that they could leave if they did not like it and then retaliated by cutting the hours of some of the employees that chose to remain working there. He further was visibly angry with the Plaintiffs and has attempted to force them to quit.

17. Campbell’s comments and conduct was objectively offensive and is ongoing as of the date of filing of this Complaint.

18. Plaintiffs were subjectively offended by the objectively offensive conduct and comments they were subjected to at work.

19. The offensive comments and conduct affected the Plaintiffs ability to work in an environment free from racially abusive behavior.

20. Plaintiffs, Darphelia Akeridge and Chica Alexander reasonably left their jobs in late 2012 due to the continuing behavior and retaliation constituting a constructive discharge of these employees.

CAUSES OF ACTION

21. Plaintiffs sue for a hostile work environment, discrimination in employment, and for retaliation after they attempted to stop the abusive and discriminatory behavior. These three causes of action are authorized under the Tennessee Human Rights Act, Tennessee Code Annotated § 4-21-101 et seq.

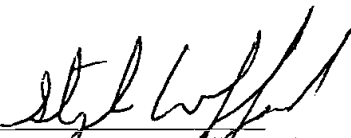
DAMAGES

22. Plaintiff sues for all damages available under the Tennessee Human Rights Act, including but not limited to damages for embarrassment and humiliation, emotional injury and medical expenses if any, lost wages past and future, attorneys' fees and any other damages authorized by statute and case law.

WHEREFORE PREMISES CONSIDERED PLAINTIFFS PRAY:

1. That process issue and this lawsuit be served upon the Defendant.
2. That after the discovery process, this case be heard on its merits.
3. That the Plaintiffs be awarded damages in the amount of \$400,000 per Plaintiff.
4. That the Plaintiffs be awarded their attorney's fees, discretionary costs, and court costs.
5. That the Plaintiffs be awarded any further relief including equitable relief that the Court deems appropriate.

Respectfully submitted,


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